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April 22, 2014

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Expanding the Economic and Innovation Opportunities of Spectrum Through
Incentive Auctions*, GN Docket No. 12-268

*Revisions to Rules Authorizing the Operation of Low Power Auxiliary Stations in
the 698-806 MHz Band*, WT Docket No. 08-166

*Public Interest Spectrum Coalition, Petition for Rulemaking Regarding Low
Power Auxiliary Stations, Including Wireless Microphones, and the Digital
Television Transition*, WT Docket No. 08-167

*Amendment of Parts 15, 74 and 90 Of the Commission's Rules Regarding Low
Power Auxiliary Stations, Including Wireless Microphones*, ET Docket No. 10-24

Notice of Oral Ex Parte Presentation

Dear Ms. Dortch:

On April 18, 2014, on behalf of the Wireless Internet Service Providers Association ("WISPA"), I attended a meeting with Chairman Tom Wheeler and other senior Commission staff to discuss the portions of the staff recommendations related to unlicensed spectrum in the incentive auction proceeding. The meeting also included others representing the interests of the unlicensed community.¹

WISPA's presentation focused primarily on the TV white space spectrum that would be available for fixed unlicensed use after the auction and re-packing of TV stations. I explained that, despite regulatory and legislative uncertainty and engineering challenges associated with developing equipment capable of communicating with the geolocation databases, American companies were successfully manufacturing, shipping, installing and deploying TV white space equipment in rural areas. In many cases, these deployments are occurring in areas where it is not

¹ A list of the Commission and industry attendees is attached hereto. WISPA understands that other attendees plan to file their own ex parte notice(s). This notice is limited to a summary of WISPA's presentation at the April 18, 2014 meeting.



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economically efficient to deploy wireline technologies such as fiber, cable and DSL and where other unlicensed bands do not possess the propagation characteristics to reach unserved Americans.

I further explained that, with adequate TV white space spectrum, fixed wireless Internet service providers ("WISPs") have the ability to increase the number of subscribers receiving fixed wireless services by about one million, representing additional subscriber revenues of about \$500 million. In addition, WISPs could save about two-thirds of the costs of tower rental and utility costs because the superior propagation characteristics of sub-1 GHz spectrum require less infrastructure than other unlicensed bands.

Regarding the TV white space spectrum, I encouraged the Commission to adopt and implement re-packing rules and procedures that would optimize the amount and viability of contiguous spectrum for unlicensed fixed broadband service. I noted the significant barriers resulting from the full six-megahertz of adjacent-channel protection each TV station has on both sides of its six-megahertz channel. I reiterated WISPA's position demonstrating the spectrally-efficient ways that remaining white space could be optimized to maximize the availability and utility of unlicensed spectrum for fixed broadband use.² Creating as much contiguous unlicensed spectrum as possible would minimize the amount of spectrum lost to channels adjacent to TV stations. These optimization methods include (a) allowing TV and LPTV stations to share channels where technically feasible, (b) identifying for LPTV displacement applications those channels that maximize the amount of the remaining spectrum for fixed unlicensed use, and (c) enforcing rules to prohibit database protection for LPTV stations that do not timely convert to digital operations or go dark for periods exceeding the time frames permitted by Commission rules.

Pursuant to Section 1.1206 of the Commission's Rules, this letter is being filed electronically via the Electronic Comment Filing System in the above-captioned proceeding.

Respectfully submitted,

Stephen E. Coran
*Counsel to the Wireless Internet Service
Providers Association*

cc: Attached List

² See Comments of WISPA, Docket No. 12-268, *et al.* (filed Jan. 25, 2013) at 12-29.

List of Commission Attendees

Chairman Tom Wheeler
Diane Cornell, Office of the Chairman
Renee Gregory, Office of the Chairman
Gary Epstein, Incentive Auction Task Force
Edward Smith, Incentive Auction Task Force
Howard Symons, Incentive Auction Task Force
Bill Scher, Office of General Counsel
Julius Knapp, Office of Engineering and Technology
Jessica Almond, Wireless Telecommunications Bureau
Chris Helzer, Wireless Telecommunications Bureau
Bill Lake, Media Bureau

List of Industry Attendees

Stephen Coran, Lerman Senter PLLC
(for Wireless Internet Service Providers Association)
Paul Margie, Wiltshire Grannis
(for Broadcom Corporation, Google Inc. and Microsoft Corporation)
Vinko Erceg, Broadcom Corporation
Scott Pomerantz, Broadcom Corporation
Aparna Sridhar, Google Inc.
Austin Schlick, Google Inc.
Paula Boyd, Microsoft Corporation
Michael Daum, Microsoft Corporation
Matt Starr, Computing Technology Industry Association
Cathy Sloan, Computer and Communications Industry Association
Matt Wood, Free Press
Martyn Griffen, Public Knowledge